

June 15, 2004 CPC



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

04PM0356

Dr. Samuel W. Galstan

Bermuda Magisterial District  
Iron Bridge Road and East Booker Boulevard

**REQUEST:** Buffer Reduction in Conjunction With the Approval of a Minor Site Plan for a Building Addition

Dr. Galstan requests a fifteen (15) foot reduction on Lot 4 and a twenty five (25) foot reduction on Lots 2 and 3, to the required fifty (50) foot buffer at the rear of his site so that he may expand his existing dental office.

**RECOMMENDATION**

Staff recommends denial of the request for the following reasons:

**REASONS**

1. There is ample room on the property to expand the building to the west on Lots 2 and 3.
2. A previous buffer reduction given in 1994 already placed the existing building ten (10) feet into the required fifty(50) foot buffer. (Case 94PR0271)
3. The remaining forty (40) foot buffer is encumbered with a sixteen (16) foot drainage easement that is required for the development of Lots 2 and 3. The required landscaping to mitigate the original buffer reduction is planted within this easement. This drainage easement needs to be relocated out of the landscaped area of the buffer to the area proposed for the building addition.
4. Lots 2 and 3 are currently vacant and should not receive consideration for a buffer reduction until a site plan is submitted for these lots.

## GENERAL INFORMATION

### Associated Public Hearing Cases:

04AN0236 – Samuel W. Galstan, D.D.S. (currently under deferral)  
97AN0107 – Samuel W. Galstan and C. Sharone Ward  
94PR0271 – Galstan Dentist Office

### Developer:

Dr. Samuel W. Galstan

### Design Consultant:

Larry W. Madison & Associates – Minor Site Plan

### Location:

Northwest quadrant of the intersection of Iron Bridge Road and East Booker Boulevard.  
Tax IDs 780-652-4572, 5268 and 5963 (Sheet 26).

### Existing Zoning and Land Use:

C-2 (Neighborhood Business District); Existing Dental Office and Vacant

### Size:

3.89 acres

### Adjacent Zoning and Land Use:

North - C-2; Vacant  
East - R-7; Residential  
West - C-2; Residential  
South - R-7; Residential

## BACKGROUND

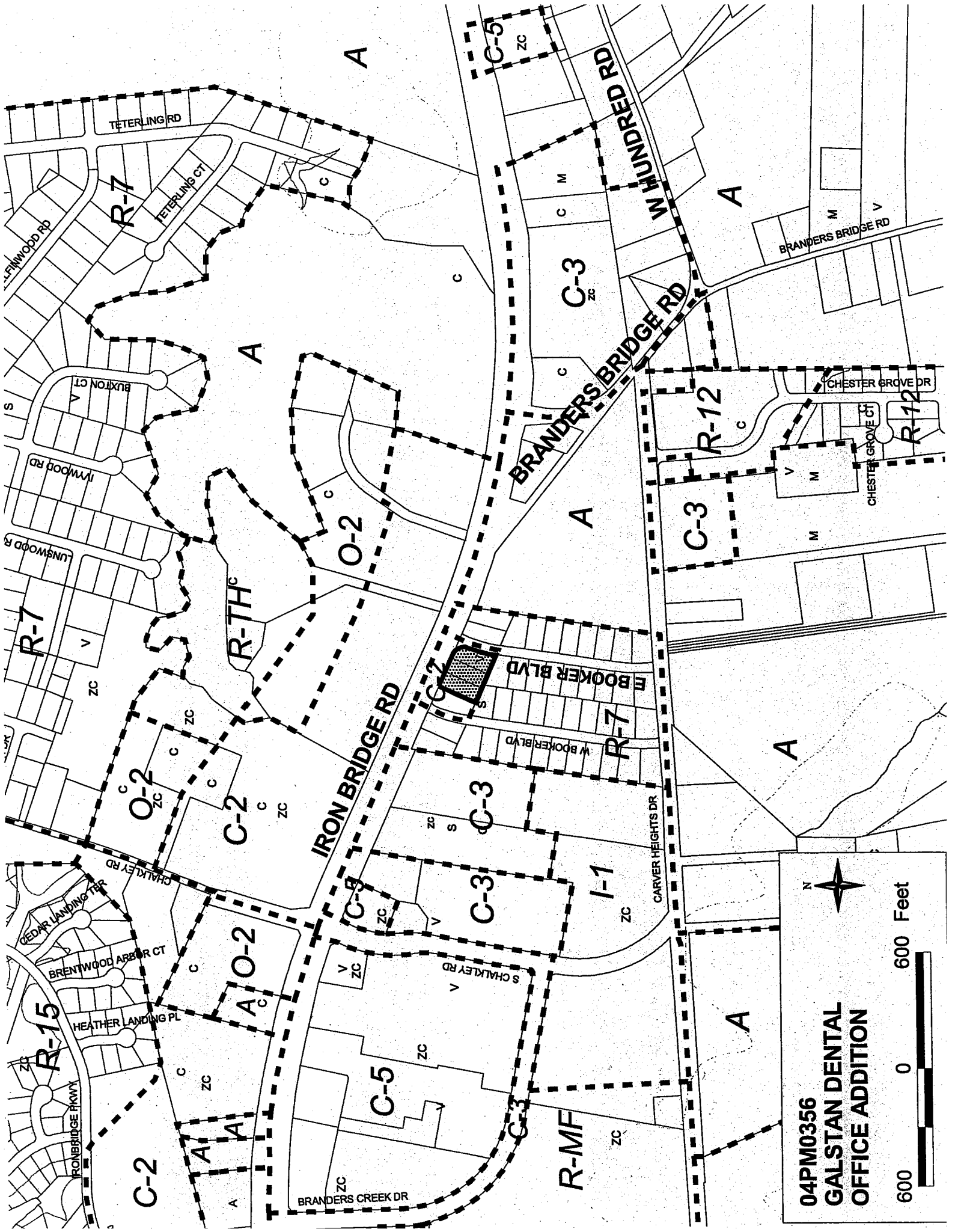
In 1994, Dr. Galstan was granted site plan approval by the Planning Commission that included a ten (10) foot reduction to the required fifty (50) foot buffer adjacent to residentially zoned property. A six (6) foot tall board fence and 1.5 times landscape "C" were required with that approval. The applicant has requested a fifteen (15) foot Variance to the forty (40) foot rear setback through the Board of Zoning Appeals, but this case is deferred until a determination is made to reduce the buffers. Combined with the ten (10) foot buffer reduction given in 1994, the proposed buffer would be reduced to twenty-five (25) feet from the required fifty (50) feet.

The site plan approved in 1994, had an Environmental Engineering Department requirement for a sixteen (16) foot private drainage easement along the southern property line to accommodate the future development of the remaining lots on Ironbridge Road. The required landscape plantings and board fence are installed primarily within this easement. Prior to future development on Lots 2 and 3, this easement needs to be relocated into the area between the plantings and the existing building.

### CONCLUSIONS

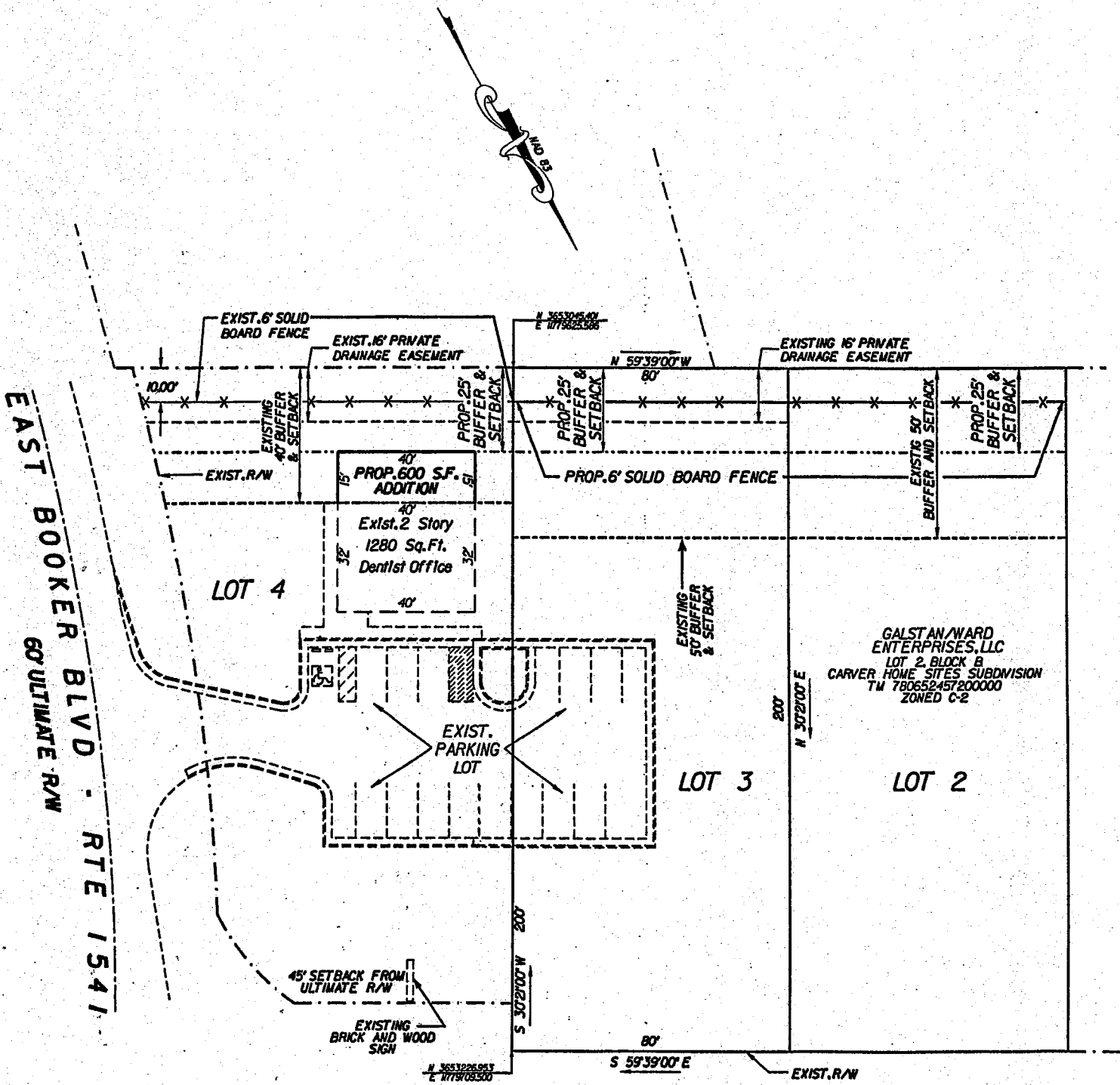
With ample area available to expand the dentist office onto the two (2) adjacent lots owned by the applicant, further reductions to the buffer are not necessary.

Staff recommends denial of the request for the above noted reasons.



04PM0356  
GALSTAN DENTAL  
OFFICE ADDITION





IRON BRIDGE ROAD - STATE ROUTE 10